

# ELLIS : LAWHORNE

John J. Pringle, Jr.  
Direct dial: 803/343-1270  
[jpringle@ellislawhorne.com](mailto:jpringle@ellislawhorne.com)

May 26, 2005

5/27/05  
too

2005 MAY 26 PM 4:15

SA' ors  
174224

## VIA HAND-DELIVERY AND ELECTRONIC MAIL SERVICE

The Honorable Charles L.A. Terreni  
Chief Clerk

### **South Carolina Public Service Commission**

Saluda Building, 101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

RE: Joint Petition for Arbitration of NewSouth Communications, Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius [Affiliates] of an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended  
**Docket No. 2005-57-C, Our File No. 803-10208**

Dear Mr. Terreni:

Enclosed is the Record for filing on behalf of NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius ("Joint Petitioners") in the above-referenced docket. This Record consists of 1) Transcript from the Georgia Public Service Commission hearing, including exhibits; 2) Testimony filed in the Georgia Public Service Commission proceeding; and, 3) Copies of depositions and discovery materials from the North Carolina Utility Commission proceeding. The only items not transmitted by electronic mail are the NC Discovery Responses. These documents just arrived today and were too voluminous to have scanned in time for this filing. By copy of this letter, I am serving all parties of record in this proceeding and enclose my certificate of service to that effect.

Joint Petitioners request that the Commission grant proprietary treatment of certain portions of documents listed above. *Accordingly, please allow this letter to serve as a Motion requesting that the materials be treated as confidential materials for filing purposes.* The material contained in these attachments is extremely competitively sensitive to Joint Petitioners. I have placed these confidential materials in separate sealed envelopes.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it via the bearer of these documents. If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,

*John J. Pringle Jr.*  
John J. Pringle, Jr.  
*by CR*

JJP/cr

cc: Office of Regulatory Staff  
all parties of record

Enclosures

**BEFORE THE  
SOUTH CAROLINA PUBLIC SERVICE COMMISSION  
DOCKET NO. 2005-57-C**

In the Matter of )  
)  
Joint Petition for Arbitration of )  
NewSouth Communications, Corp., )  
NuVox Communications, Inc., )  
KMC Telecom V, Inc., )  
KMC Telecom III LLC, and )  
Xspedius [Affiliates] of an )  
Interconnection Agreement with )  
BellSouth Telecommunications, Inc. )  
Pursuant to Section 252(b) of the )  
Communications Act of 1934, )  
as Amended )

**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day, one (1) copy of the Record for filing on behalf of Joint Petitioners via hand-delivery and electronic mail service as follows:

Patrick Turner, Esquire  
**BellSouth Telecommunications, Inc.**  
1600 William Street  
Columbia SC 29202

Office of Regulatory Staff  
Legal Department  
1441 Main Street  
3<sup>rd</sup> Floor  
Columbia SC 29201

  
\_\_\_\_\_  
Carol Roof

May 26, 2005

Columbia, South Carolina

G:\APPS\OFFICE\WPWIN\WPDOCS\KMC-NewSouth-Nuvox-Xspedius\cert service.wpd